

COLUMBUS POLICE DEPARTMENT



General Order 42: Criminal Investigation

CALEA Standards: 42.1.3
42.2.1
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42.2.8
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Policy:

The purpose of this General Order is to establish a Detective Division comprised of officers with the specialized task of investigating criminal activity and apprehending persons committing crimes. The Columbus Police Department is committed to providing the most professional and thorough criminal investigations possible; therefore, investigation of criminal activity is not solely the responsibility of the Detective Division, but of all sworn personnel.

Definitions:

When a word or term is not defined, the proper and fitting definition, as used within the context, or the generally accepted definition, as defined by the context, shall be used. When a male pronoun is used, the female pronoun is implied. When a singular word or term is used, the plural is implied unless otherwise specified.

1. Detective

Detective includes any sworn officer assigned to the Detective's Division, which includes those sworn officers assigned to narcotics, but excludes sworn officers assigned to the ILP Unit.

42.1 Administration

42.1.1 On-Call Schedule

- A. Since the Detective Division does not provide 24-hour coverage, an on-call schedule of Detectives will be maintained. The schedule will be completed by a division supervisor and will be furnished to the Emergency Operations Center (EOC) and the Uniform Division supervisors.
- B. Detectives may be required to be in an "on-call" status at various times. A Detective will be assigned to be on-call each day of the week, Monday through Friday, from the end of second shift until the beginning of day shift the following day; a Detective will be assigned to be on-call each weekend of the year beginning at 7:00 a.m. of each Saturday until the following Monday at 7:00 a.m.; and a Detective will be assigned to be on-call on each recognized city holiday. The times that a Detective is assigned to be in an "on-call" status may vary from this schedule if that Detective is assigned to the narcotics division.
- C. A Detective who is "on-call" shall be restricted in the following manner:
 - 1. He/She shall remain within Bartholomew County, Indiana;
 - 2. He/She shall be prohibited from consuming alcoholic beverages;
 - 3. He/She shall be available for telephone calls via their department issued cellular telephone and/or home telephone;

4. He/She shall respond to requests for his/her assistance within a reasonable amount of time.
- D. Compensation for being in an "on-call" status shall be provided to a Detective after he/she completes a weekend of being in an "on-call" status. The compensation given to the Detective at this time will include compensation for being in an "on-call" status for that weekend and for any weekdays and holidays of being in an "on-call" status since his/her prior weekend "on-call."
- E. The compensation the Detective shall receive is eight (8) hours of "leave" time that should be used by the Detective the Friday following the Detective's weekend of being in an "on-call" status, unless otherwise authorized by a supervisor. Each Detective in an "on-call" status is still eligible for normal overtime compensation for any hours worked during their weekdays and holidays on-call and any hours worked during their on-call weekend.

42.1.2 Case-Screening System

The department has a case screening process, where the objective is to assign available personnel to the investigations that have the best chance of being resolved.

- A. If an officer taking a report feels that he/she should continue to investigate the case, it will be left open, and will not be closed by the officer.
 1. It will be the officer's responsibility to ensure that the case is investigated in a timely manner.
 2. An officer may only leave a case open upon approval of a supervisor.
 - a. If a supervisor is the reporting officer, they may leave the case open without review or approval from another supervisor.
- B. If an officer taking a report feels that he/she should not continue to investigate the case, it will be closed by the officer.
 1. It will be the responsibility of a uniform supervisor to review the officer's report.
 - a. If the supervisor agrees that the officer should not continue to investigate the case, it may be approved by the supervisor.
 - b. If the supervisor believes that the officer should continue to investigate the case, it will not be approved, and will be left open. The supervisor shall notify the officer that it is their responsibility to investigate the case.

2. If a supervisor is the reporting officer, they may approve the report without review or approval from another supervisor.
- C. A Uniform Lieutenant will review all reports approved by a uniform supervisor. If a Uniform Lieutenant is not available, a detective supervisor will review the approved report.
1. If a case requires additional investigation by the reporting officer, the Uniform Lieutenant or detective supervisor reviewing the case shall notify the officer that it is their responsibility to investigate the case.
 2. If a case does not require additional investigation by the reporting officer, the Uniform Lieutenant or detective supervisor reviewing the case will assign a case status to the report in accordance with the administrative designations listed in General Order 42.1.3(B). However, if the Uniform Lieutenant reviewing the case determines that the report needs to be reviewed by the Detective Division, the case status should be left as "Not Reviewed".
 - a. The case status for all sex crimes, major cases and felony cases should be left as "Not Reviewed".
 - b. If a Uniform Lieutenant reviewing the case is unsure whether the case should be reviewed by the Detective Division, the case status should be left as "Not Reviewed".
 3. If a detective supervisor reviews a case and determines that it requires additional investigation by the reporting officer, the detective supervisor will coordinate the follow up with that employee's Uniform Lieutenant. The Uniform Lieutenant will be responsible for notifying the officer that it is their responsibility to investigate the case, and to ensure the proper disposition of the case.
 4. If a detective supervisor reviews a case and determines that it requires additional investigation by a Detective, the detective supervisor will assign the case to a Detective.
 5. If a detective supervisor reviews a case and determines no additional investigation is required, the detective supervisor will assign a case status to the report in accordance with the administrative designations listed in General Order 42.1.3(B).
- D. If the case is assigned to a Detective:
1. The case should be assigned based on the Detective's current workload, their schedule and their skills, knowledge and abilities.

2. In order to assure accountability, only one Detective will be assigned as the principal investigator of any one case. This does not mean that other officers or Detectives are not eligible to assist in the investigation.
3. The Detective assigned will be responsible for continually assessing the case and making determinations as to whether the case should receive additional follow-up investigation by taking into account the seriousness of the offense and the solvability factors present. The case management system provides the ability for each Detective to assess the solvability of their cases throughout their investigation.
 - a. A division supervisor shall conduct periodic case reviews with the Detectives to identify cases of low solvability that may be immediately closed.
4. Once the Detective has completed all necessary investigation, the Detective shall change the case status in accordance with the administrative designations listed in General Order 42.1.3(B).

42.1.3 Case File Management

- A. The department has a file management program in place that is integrated into the computer system used for record creation and storage. The case file management for the Detective's Division is maintained by the Detective Lieutenant.
 1. When a case is assigned to a Detective, it should specify the investigator assigned, the date assigned and the case number.
 2. The Detective assigned to a case is responsible for updating their activities, which should include the date and time of the activity. Case activity should be entered for each case daily where activity occurs, unless extenuating circumstances exist.
- B. The Detective assigned to a case is responsible for updating the case status as the investigation progresses. Administrative designators must be assigned by the investigating officer as the status of the case changes, in order that the Detective's supervisors may continue to be aware of the updated status of each case. The following administrative designations that should be used are:
 1. Juvenile to DC: referred to probation "CBAJ" (Custodial arrest of a juvenile);
 2. Arrest – case complete "CBAR" (Prosecutor filed formal charges);
 3. Exceptionally cleared – death of offender "EXCD" (Case closed prior to filing due to the death of the offender);

4. Exceptionally cleared – prosecution declined “EXCP” (Case filed with prosecutor, and they decline to file formal charges);
 5. Exceptionally cleared – victim refused to cooperate “EXCV” (Case closed due to victim not cooperating with investigation);
 6. Transferred to other agency “INAA” (Case closed within agency and referred to another agency to complete investigation);
 7. Non-criminal – no further “INAF” (An incident occurred, but there was no crime);
 8. Pending – juvenile probation review “INAJ” (Juvenile suspect identified, but not arrested; case referred to juvenile probation for determination of formal charges);
 9. Suspended – no leads “INAN” (Crime has occurred, investigation is complete but there are no identified suspects to investigate);
 10. Suspended – other “INAO” (The case has low solvability factors, and will not be further investigated even though all leads have not been exhausted);
 11. Pending – prosecutor review “INAP” (Adult criminal case that is delivered to the prosecutor to review for formal charges);
 12. Closed – procedures complete “INAZ” (Crime has occurred, suspect is believed to be identified and investigation complete, but the case is not referred to the prosecutor for formal charges);
 13. Unfounded “UNFO” (The evidence shows that the reported incident never occurred); or
 14. Suspended – pending lab results “INAL” (Crime has occurred and investigation status is dependent upon pending laboratory results).
- C. A physical case file shall be maintained by the investigating officer containing all information gathered during the investigation. Once the investigation is complete, the contents of the case file shall then be consolidated with the original case file held in the Records Division.
- D. Physical case files maintained by the investigating officer may be accessed on an "as needed" basis for all sworn officers not assigned to the case. The investigating officer shall have the case file in a secure area when that case is not being investigated. Detectives are supplied with file cabinets for case storage.

- E. Investigations that are closed and that are consolidated with the original case file held in the Records Division will be maintained and purged in accordance with General Order 82.
- F. The Detective supervisors can monitor case status through the Investigator Dashboard. This shows how many cases are active for each Detective and when the case was assigned. The Detective Lieutenant, or one of his/her designees, shall conduct case reviews every 4 months with each Detective. The purpose of this is to ensure that cases are being investigated properly and in a timely manner.

42.2 Operations

42.2.1 Preliminary Investigation Steps

Preliminary investigations begin when an officer arrives at the scene of an incident, first makes contact with a complainant, and/or becomes aware that a crime may have been or is being committed. This section is not intended to preclude officers conducting the preliminary investigation from being assigned to the follow-up investigation. The preliminary investigation includes:

A. Observing all conditions, events and remarks:

1. Providing aid to the injured;
2. Determining whether an offense has actually been committed and, if so, the exact nature of the offense; and
3. Furnishing other law enforcement personnel and agencies, through the communications system, descriptions, method, direction of flight, and other relevant information concerning persons or vehicles.

B. Locating and identifying witnesses:

1. Obtaining complete identification of necessary witnesses; and
2. Determining the identity of the suspect or suspects and affecting a lawful arrest if it can be accomplished either at the scene or through immediate pursuit.

C. Maintaining and protecting the crime scene and arranging for the collection of evidence:

1. It is the responsibility of the responding officer(s) to protect the crime scene to ensure that evidence is not lost or contaminated, and to arrange for the collection of evidence.

2. If an officer believes that additional people are needed to secure a crime scene, they shall contact the on-duty supervisor. The on-duty supervisor shall assign as many officers as necessary to maintain and protect the scene for processing.
3. If it is determined that assistance from the Detective Division is warranted, the on-duty supervisor will call for an on-duty or on-call Detective and if necessary, a crime scene investigator, to respond to the scene for processing. In all other cases, an officer on the scene will be required to process the scene for evidence collection.

D. Interviewing the complainant, witnesses and suspects:

1. Initial interviews and recorded statements of and from the victims, witnesses and, if legally possible, from the suspects, should be conducted by officers to determine the general facts of the case. Any available person involved with the case or any available person who may have knowledge of the event should be interviewed.
2. If it is determined that assistance from the Detective Division is warranted, the on-duty supervisor will call for an on-duty or on-call Detective to respond to the scene. In all other cases, officers on the scene will be required to obtain the necessary interviews.
3. All pertinent information regarding the preliminary investigation shall be accurately and completely documented on prescribed report forms.

E. Additional Preliminary Investigation Steps for Death Investigations

1. All death cases should be investigated as a criminal investigation until determined otherwise.
2. The primary officer shall notify an on-duty supervisor that a death has occurred. A supervisor shall respond to the scene unless he/she has an articulable reason for not responding.
 - a. Supervisors shall call a detective out for all suspected suicides and homicides.
3. A crime scene entry log shall be used in accordance with General Order 83.2.1.
4. The officer conducting the investigation shall:
 - a. Ensure that no signs of foul play are present (i.e. signs of forced entry, missing items, statements alluding to foul play);

- b. Photograph the entire scene (far-away and close-ups);
- c. Follow the procedures outlined in General Order 55.2.6 for next-of-kin notifications;
- d. Contact the coroner:
 - i. To respond and remove the body, or;
 - ii. To approve to have a funeral home remove the body.
- e. Complete a report detailing all steps taken.

42.2.2 Follow-Up Investigation Steps

Follow-up investigations are generally conducted by members of the Detective Division, but in some incidents, officers of the uniform division will conduct their own follow-up investigations. The following is to serve as a general guideline for all follow-up investigations for all members who conduct such an investigation.

- A. Review and analyze all reports prepared in the preliminary investigation phase, all departmental records, involved names, and results from laboratory examinations;
- B. Conduct additional interviews and interrogations of available witnesses, victims and suspects, which should in most cases include making a "second contact" with people involved in a case.
 - 1. Names of newly discovered involved parties shall be linked to the case.
 - 2. Upon assignment of a case to a Detective, the investigator should make contact with the victim/complainant within two working days, if possible, notifying them of the investigation and providing them their contact information.
 - 3. At the time a case is closed, the investigator should attempt to make contact with the complainant/victim via phone, personal visit or letter, and notify them of the case status.
- C. Seek additional information from uniformed officers and informants, and determine in detail the exact circumstances of the offense;
- D. Plan, organize and conduct searches, and collect, preserve, analyze and evaluate physical evidence;
- E. Identify and apprehend suspects;

- F. Determine involvement of suspects in other crimes;
- G. Check suspects' criminal histories; and
- H. Prepare cases for court presentation and for filing with the prosecutor's office.
 - 1. Cases should be closed when no further case work becomes necessary. If in doubt as to whether a case should be closed the investigator shall consult with a supervisor.
 - 2. Cases to be filed with the prosecutor for possible charging will be reviewed and approved by a division supervisor prior to filing unless extenuating circumstances exist.
 - a. When the case involves a juvenile, the case should be provided to the Records Division supervisor to be forwarded to Juvenile Probation.
 - b. Before a case is filed with the prosecutor, the investigator shall ensure all reports and supplements in RMS are complete, all related statements, criminal history reports, and other documents are attached to the RMS case, and all photos are available on the CPD repository.

- c. Cases will be submitted to the prosecutor's office through RMS, unless extenuating circumstances exist. All felony cases shall be reviewed by a detective supervisor prior to submission to the prosecutor's office.
3. Cases where suspects have been arrested based on probable cause should be reported to the prosecutor's office as soon as possible. It is the responsibility of the assigned officer to obtain the necessary paperwork or warrant to prevent the unwanted release of the arrested person.

42.2.6 Informants

The confidentiality of an informant is of paramount importance. While the use of confidential informants is an effective tool, it can be undermined if there are not sound control procedures for them. Therefore, the following procedures and regulations are required for the control and use of confidential informants:

A. All confidential informants shall be maintained in a master file.

1. Any officer, Detective, other employee who utilizes, or otherwise desires to use a confidential informant, shall follow the guidelines contained herein.
2. All potential confidential informants should be asked whether he/she is on probation and/or a community corrections component in Bartholomew County. Before signing up someone on probation or on a community corrections component in Bartholomew County as a confidential informant, the officer shall contact the Deputy Prosecutor assigned to the joint Narcotics Enforcement Team (JNET), who will contact the Assistant Chief probation Officer or Director of Residential Services to discuss whether the person in question should be utilized as a confidential informant. The person shall only be signed up as a confidential informant with the approval of the Deputy Prosecutor assigned to the JNET.

B. Each confidential informant shall have their own file, which shall include:

1. Their identifying information;
2. Their contact information;
3. Their criminal history record;
4. Their driving record;
5. A picture of the informant;
6. Other relevant biographical information;

7. A signed statement of understanding;
 8. A log of the information gained from the informant and its reliability; and
 9. A confidential informant number.
- C. The master files on confidential informants are to be maintained and secured. This may be done by securing the information in a locked area and/or electronically, where access to the files is restricted to personnel assigned to the I.L.P. Unit and/or the Narcotics Division, and those within their chain of command.
1. No other person is to have access to a file without permission from an officer within the I.L.P. Unit or detective within the narcotics division, or someone within their chain of command.
 2. Any officer given information as to the identity of an informant is to keep that information confidential.
 3. The I.L.P. Sergeant will be responsible for maintaining the master file on confidential informants.
- D. In order to protect their identity, confidential informants should be referred to by their confidential informant number and not their name. Additionally, officers who are made aware of the identity of a confidential informant should take necessary precautions to ensure that their documentation does not link the identity of a person to them being a confidential informant.
- E. If applicable, the confidential informants will be paid based on the following criteria:
1. All confidential informants that are to be paid for information provided will not be paid until:
 - a. The information is deemed to be reliable and an arrest is made in the case;
 - b. The information is deemed to be reliable and has a direct bearing on the seizure of illicit drugs and/or controlled substances, or the seizure of stolen property; or
 - c. The information is deemed reliable and has a direct bearing on initiating or furthering a criminal investigation.
 2. Other payments may be made to confidential informants, provided they are within the limitations established in General Order 17.4.2(C).

F. Safety of informants

1. The utilization of informants, while extremely valuable, can be very dangerous work. The Columbus Police Department recognizes the dangers that informants face and shall place the safety of the informants as the highest priority, especially when recording informants and in making decisions on when and how to file a case(s) with the prosecutor's office.

G. All officers shall use caution when dealing with informants. The following are some steps which should be observed when dealing with informants:

1. No member of this agency shall knowingly maintain a social relationship with a confidential informant while off duty, or otherwise become personally involved with them. Members of this agency shall not solicit, accept gratuities or engage in any private business transaction with a confidential informant.
2. Whenever possible, an officer should always be accompanied by another officer when meeting with a confidential informant. If this is not possible, an officer should let another officer know of his/her intention to meet with an informant.

H. Juveniles shall only be utilized as confidential informants upon approval by the Chief of Police and in accordance with state laws pertaining to juveniles. In addition, the policy will be to obtain proper approval from either parents or guardians before such informants are used; no juvenile informant will be used without approval of the parent or guardian and the Chief of Police.

42.2.8 Interview Rooms

The following are the procedures for utilizing designated rooms for interviews and interrogation:

- A. Weapons, lethal and less lethal, are permitted but must remain holstered or secured throughout the interview or interrogation process unless needed in response to an immediate threat.
- B. Due to the close proximity of the interviewing officer and suspect, officers should remain diligent and constantly assess the suspect's mannerisms, body language and potential for violence. If security concerns arise, the interviewing officer may summons an additional officer to monitor the interview via closed circuit video or be present in the interview room. Arrestees may be handcuffed, although it is not required.
- C. During an interview or interrogation, the number of department personnel allowed in the interview room will be limited to two, unless more personnel are needed to respond to an immediate threat.

- D. If assistance is needed during an interview, officers will attempt to suppress the situation with approved means, and summons assistance by any means reasonably necessary for the situation.
- E. When custodial interrogations are made in an interview room, employees shall follow the video and audio recording procedures set forth in G.O. 1.2.3(B)(3).
- F. Other items or equipment kept in the interview room or area are restricted to:
 - 1. Writing surfaces;
 - 2. Seating;
 - 3. Paperwork or case files;
 - 4. Case-related articles; and
 - 5. Approved comfort items (tissue, items for child interviews, etc.)
- G. Persons interviewed or interrogated will be permitted reasonable access to restrooms, water, or comfort breaks. It will be the on-duty supervisor's responsibility to see that persons who are in the custody of an officer and in an interview room for a period exceeding two (2) hours is offered and/or provided food and drink.

42.2.9 Line-ups

The purpose of a line-up is to determine the ability of a witness to identify a suspect as the perpetrator of a crime. The following procedures are established to obtain reliable information from witnesses. An identification obtained through a line-up composed in this manner should minimize any risk of misidentification and have stronger evidentiary value than one obtained without these procedures.

A. Composition of a line-up:

- 1. Physical line-ups are not conducted by the Columbus Police Department. The investigating officer will need consent from the Chief of Police or his/her designee if a situation warrants a physical line-up. Otherwise, physical line-ups are prohibited due to the lack of a properly equipped facility.
- 2. In composing a photographic line-up, the officer administering the line-up will adhere to the following procedures:
 - a. A photo spread consisting of one (1) suspect and five (5) non-suspects will be presented to each witness;

- b. Photos of the non-suspects should resemble the suspect in significant features. However, complete uniformity of features is not required; and
 - c. Each photo shall have a number for identification purposes.
- B. Use of video and/or audio recording:
 - 1. Officers should audio record their interview with any non-law enforcement witnesses when presenting them with a photographic line-up.
 - 2. If officers present a photographic line-up to a witness during an interview at the Columbus Police Department, the interview should be video recorded.
- C. When multiple eyewitnesses are available, witnesses shall view the photographic line-up individually to prevent any degree of improper suggestiveness by other witnesses.
- D. Prior to presenting a photographic line-up to a witness, officers shall not make any comments or movements to the witness that would in any way be suggestive of the suspect.
- E. The officer presenting a witness with a photographic line-up will be responsible for identifying and documenting the level of confidence of the identification by taking into account the following factors:
 - 1. The witness' opportunity to view the criminal during the crime;
 - 2. The length of time between the crime and the subsequent identification;
 - 3. The level of certainty demonstrated by the witness at the identification;
 - 4. The accuracy of the witness' prior description of the suspect; and
 - 5. The witness' degree of attention during the crime.
- F. During the administration of the photographic line-up, officers shall not express their opinion or provide feedback on the level of confidence expressed by the witness, nor shall officers attempt to influence a witness' decision in positively identifying a suspect.
- G. All photographic line-up spreads will be kept in the original investigative file, which will include the results and identification of the suspect and non-suspects used in the line-up.

42.2.10 Show-ups

A show-up is a field identification procedure performed when a witness views a single suspect for purposes of identification of the suspect as the perpetrator of a crime. The inherent suggestiveness of the encounter can be minimized with procedural safeguards. When conducting a show-up the officer administering the show-up will adhere to the following procedures:

- A. Show-ups are permitted when the following compelling circumstances occur:
 - 1. An officer has reason to believe a crime has been committed and the suspect is located;
 - 2. The circumstances surrounding the incident make the use of a line-up impractical or unnecessary; and
 - 3. The inherent suggestiveness of a show-up can be minimized due to the circumstances of the incident, with special consideration given to the factors in 42.2.10(E).
- B. Officers shall transport the witness to the location of the suspect. However, it is acceptable for officers to transport a suspect to the location of a witness only if the suspect has been arrested.
- C. When multiple witnesses are involved, they should be separated and instructed to avoid discussing details of the incident with other witnesses. Each eyewitness shall view the suspect individually to prevent any degree of improper suggestiveness by other witnesses.
- D. Prior to showing a suspect to a witness, officers shall not make any comments or movements to the witness that would in any way be suggestive of the suspect.
- E. The officer presenting a witness with a show-up will be responsible for identifying and documenting the level of confidence of the identification by taking into account the following factors:
 - 1. The witness' opportunity to view the criminal during the crime;
 - 2. The length of time between the crime and the subsequent identification;
 - 3. The level of certainty demonstrated by the witness at the identification;
 - 4. The accuracy of the witness' prior description of the suspect; and
 - 5. The witness' degree of attention during the crime.

- F. While showing a suspect to a witness, officers shall not express their opinion or provide feedback on the level of confidence expressed by the witness, nor shall officers attempt to influence a witness' decision in positively identifying a suspect.
- G. All results of a show-up will be documented by the investigating officer in their report.

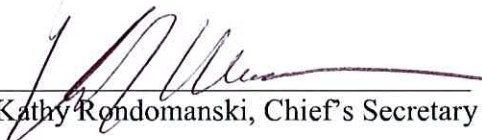
Acceptance by Columbus Police Department Captain's Board:

Date: 6-15-2021


Michael Richardson, Chief

Attest:


Steve Norman, Deputy Chief

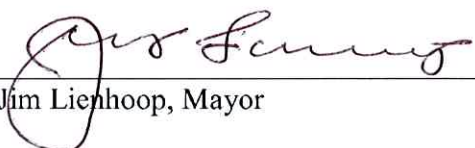

Kathy Rondomanski, Chief's Secretary


James Frederick, Administrative Captain



Toby Combest, Uniform Captain


Acceptance by Columbus Board of Public Works and Safety:

Date: 6-15-21


Jim Lienhoop, Mayor

Attest:


Mary Ferdon, Member


Jennifer Wiwi, Clerk-Treasurer
Jennifer Wiwi, Deputy


John Pickett, Member


Jim Strietelmeier, Member


Brenda Sullivan, Member